

SUMMARY STATEMENT

Coronado v. City of Boise

Docket No. 51722

This appeal arises from two Idaho Industrial Commission decisions denying Sherri Sue Coronado's petitions for declaratory rulings. In 2019, Coronado suffered an industrial accident while employed as a police officer by the City of Boise (hereafter "Employer"). Employer accepted Coronado's claim for a right hip injury and initiated compensation. However, one year later, Employer declined to authorize compensation for medical treatment of Coronado's left hip, and Coronado refused Employer's requests for access to her medical records and to schedule an independent medical examination ("IME"). Employer, acting through its third-party administrator and without an order from the Commission, issued a letter stating that it was temporarily suspending Coronado's compensation payments as permitted by our interpretation of Idaho Code section 72-434 under *Brewer v. La Crosse Health & Rehab*, 138 Idaho 859, 71 P.3d 458 (2003). The Industrial Commission later determined that Coronado's benefits were not actually suspended.

Three years later, in *Arreola v. Scentsy, Inc.*, this Court overruled *Brewer* and held that only the Commission has the authority to adjudicate IME disputes, and to enforce that adjudication through Idaho Code section 72-434 by ordering the suspension of a claimant's compensation. 172 Idaho 251, 256–62, 531 P.3d 1148, 1153–59 (2023). Thereafter, Coronado filed a petition for a declaratory ruling with the Commission concerning, among other things, whether the holding in *Arreola* applied retroactively. While Coronado's initial petition was pending, Employer filed a complaint against Coronado with the Commission, which listed various issues concerning Coronado's entitlement to benefits and her failure to submit to scheduled IMEs. In response, Coronado filed a second petition for a declaratory ruling regarding whether Employer could file a worker's compensation complaint to litigate a worker's right to compensation.

The Commission declined to address the merits of Coronado's first petition, concluding that it was procedurally improper and instructing Coronado to pursue relief through administrative litigation. Next, the Commission denied Coronado's second petition on the merits, holding that it had jurisdiction to receive an employer's complaint.

The Idaho Supreme Court declined to consider the merits of Coronado's first petition because it was moot. The Court set aside the Commission's denial of Coronado's second petition and held that the Commission exceeded its powers by authorizing employers to file a complaint to adjudicate an employee's claim to unpaid or discontinued compensation benefits or discontinued income benefits.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******